United Nations A/62/334

General Assembly

Distr.: General
12 September 2007

Original: English

Sixty-second session
Item 34 of the provisional agenda*
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolution 61/119 of 14 December 2006, the operative part of which reads as follows:

> "*The General Assembly*,
>
> "...
>
> "1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;
>
> "2. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949 and cease immediately all measures and actions taken in violation and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, as well as the extrajudicial executions;
>
> "3. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in extensive loss of life and vast numbers of injuries, including among children,

* A/62/150.

07-50284 (E) 260907

massive destruction of homes, properties, agricultural lands and vital infrastructure, and the internal displacement of civilians;

"4. *Expresses grave concern* at the use of suicide bombing attacks against Israeli civilians resulting in extensive loss of life and injury;

"5. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

"6. *Calls upon* Israel, the occupying Power, in this regard, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

"7. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, and that it respect human rights law and comply with its legal obligations in this regard;

"8. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socio-economic and humanitarian situation being faced by the Palestinian people;

"9. *Calls upon* Israel, the occupying Power, to release the tax revenues due to the Palestinian Authority, in accordance with the Paris Economic Protocol of 1994, and to ease the severe closures and restrictions on movement;

"10. *Acknowledges* the role the temporary international mechanism plays in assisting directly the Palestinian people, and encourages interested donors to make use of the mechanism;

"11. *Emphasizes* the need to preserve the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of Palestinian civil, political, economic, social and cultural rights;

"12. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice and as demanded in resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

"13. *Stresses* the need for respect for the unity and territorial integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

"14. *Also stresses* the need for the full implementation by both parties of the Sharm El-Sheikh understandings and the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing;

"15. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution."

2. On 14 May 2007, the Secretary-General addressed a note verbale to the Government of Israel, in which he requested, in view of his reporting responsibilities under the above-mentioned resolution, that the Government inform him of any steps it had taken, or envisaged taking, concerning the implementation of the relevant provisions of the resolution.

3. No reply had been received at the time of the preparation of the present report.

4. On 14 May 2007, the Secretary-General addressed a note verbale to all permanent missions, in which he requested, in view of his reporting responsibilities under the above-mentioned resolution, that Governments inform him of any steps they had taken, or envisaged taking, concerning the implementation of the relevant provisions of the resolution. The Permanent Mission of Japan forwarded a note verbale dated 27 July 2007 providing, in pertinent part, the following information:

"In March 2007, the Government of Japan decided to extend, inter alia, emergency grant aid of a total of $7.2 million to the United Nations Development Programme, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Population Fund in order to improve the humanitarian situation of the Palestinians, with a view to improving medical care and alleviating unemployment and poverty through the provision of medical supplies and equipment, rehabilitation of medical facilities and job creation."